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September 16, 2016

Hon. Arthur D. Spatt  
Hon. A. Kathleen Tomlinson  
U.S. District Court  
100 Federal Plaza  
P.O. Box 9014  
Central Islip, NY 11722-9014

Re: David Annunziato v. Collecto, Inc. d/b/a EOS-CCA  
U.S. District Court, Eastern District of New York, No. 2:12-cv-03609-ADS-AKT

Honorable Judges:

I represent the Defendant in the above matter. I respectfully request that the Court adjourn the pretrial conference scheduled for September 21, 2016. I have conferred with counsel for the Plaintiff, who consents to this motion.

The reason for this request is that the undersigned has a complicated medical history which requires semi-annual appointments at Memorial Sloan Kettering ("MSK"). Such appointments are long-prescheduled and very difficult to reschedule. The undersigned was just advised today by MSK that one such long prescheduled appointment must now be rescheduled by the medical provider to September 21<sup>st</sup>, the date of the currently scheduled pretrial conference.

The undersigned has conferred with counsel for the Plaintiff as to joint availability, and the parties respectfully request that the pretrial conference be adjourned to October 27<sup>th</sup> or October 28<sup>th</sup>.

Thank you for your consideration.

Respectfully,



Sabato P. Fiano

cc: Joseph Mauro, Esq. (via ECF)